

AO 106A (08/18) Application for a Warrant by Telephone or Other Reliable Electronic Means

## UNITED STATES DISTRICT COURT

for the

Southern District of West Virginia



## In the Matter of the Search of

(Briefly describe the property to be searched or identify the person by name and address)

 USPS Priority Mail Express  
 Package bearing tracking  
 number EI315215099US

Case No. 2:22-mj-00019

## APPLICATION FOR A WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):  
 USPS Priority Mail Express Package bearing tracking number EI315215099US

located in the Southern District of West Virginia, there is now concealed (identify the person or describe the property to be seized):  
 Controlled substances and/or proceeds of drug trafficking

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;  
☒ contraband, fruits of crime, or other items illegally possessed;  
☐ property designed for use, intended for use, or used in committing a crime;  
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
21 U.S.C. Section 841 (a)	Distribution of a controlled substance
21 U.S.C. Section 843 (b)	Using the mail to facilitate the distribution of a controlled substance
21 U.S.C. Section 846	Conspiracy to distribute a controlled substance

The application is based on these facts:  
 See attached affidavit

- ☒ Continued on the attached sheet.  
☐ Delayed notice of \_\_\_\_\_ days (give exact ending date if more than 30 days: \_\_\_\_\_) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Seth A. Summers  
 Applicant's signature

Seth A. Summers, United States Postal Inspector  
 Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by  
 telephone after a PDF was submitted via email (specify reliable electronic means).

Date:

March 3, 2022

Dwane L. Tinsley  
 Judge's signature

City and state: Charleston, West Virginia

Dwane L. Tinsley, United States Magistrate Judge  
 Printed name and title

A F F I D A V I T

STATE OF WEST VIRGINIA

COUNTY OF KANAWHA, to-wit:

I, Seth A. Summers, being duly sworn, hereby depose and state as follows:

1. I am a United States Postal Inspector employed with the United States Postal Inspection Service (USPIS) since September 2012. I am presently assigned to the USPIS Charleston, WV domicile where my responsibilities include the investigation of crimes involving the United States Postal Service (USPS) and crimes furthered through the use of the U.S. Mail. This includes the investigation of controlled substances sent through the U.S. Mail. Prior to my employment with the USPIS, I was employed as a Special Agent and as a Uniformed Division Officer with the United States Secret Service for approximately eight (8) years, with assignments in Washington, D.C. and Charleston, WV. During the course of my law enforcement career, I have also investigated financial crimes, including mail fraud, wire fraud, bank fraud, money laundering, access device fraud, counterfeiting, and identity theft.

2. This affidavit is made in support of an application for a search warrant to search the contents of USPS Priority Mail Express Package bearing tracking number "EI315215099US" addressed to "KASEY LAMBERT 233 EMPIRE DR. ST ALBANS, W.V 25177" and bearing a return address of "MARCUS LAMBERT 9280 CAMLEY ST DET, MI 48224"

(hereinafter referred to as "SUBJECT PARCEL"). The SUBJECT PARCEL is a USPS Priority Mail medium size box. The SUBJECT PARCEL was mailed on March 1, 2022 from Detroit, MI with \$34.35 postage affixed. The SUBJECT PARCEL is currently located at 1002 Lee St. East, Charleston, WV 25301.

3. The information contained in this affidavit is based on information I have gained from my investigation, my personal observations, my training and experience, and information related to me by other law enforcement agents and witnesses.

4. Drug trafficking background gained over the years has shown that drug dealers and drug traffickers utilize the USPS for shipping controlled substances, including but not limited to cocaine, heroin, methamphetamine, marijuana, and pharmaceuticals. The use of Express Mail, Priority Mail and First Class Mail are favored because of the reliability, anonymity, speed (overnight service), minimal cost, and ability to track the mail piece.

5. Through experience gained in drug investigations by Postal Inspectors and other law enforcement agents, and through information provided by individuals who have been involved in buying, selling, and shipping drugs by Express Mail, Priority Mail and other types of shipments, the USPIS has established a drug profile policy to screen mail packages for controlled substances. The profile characteristics include peculiarities in labeling and unusual packaging techniques as well as other considerations. The



reason that handwritten labels are of interest is that the vast majority of premium mail services such as Express and Priority Mail involves business-to-business or business-to-person correspondence and features typewritten or computer-generated labels. Person-to-person correspondence (and the handwritten labels attendant thereto) accounts for a very small minority of total Express and Priority Mail traffic.

6. Postal Inspectors, Special Agents of the Drug Enforcement Administration (DEA) and other intelligence sources have identified Arizona, Texas, California, Florida, Georgia, Michigan, New Jersey and New York as major source states for illegal drugs flowing into areas within the Southern District of West Virginia.

7. From my experience, training, and knowledge of drug shipments through the U.S. Mail, I am aware that drug traffickers frequently use fictitious names and addresses on the return address portion of the mailing label both to remain anonymous and avoid detection. Some return addresses have been found to be legitimate addresses, but the actual resident at those locations is either fictitious or non-existent. I am also aware that the address of the person that the mail piece is addressed to is generally not fictitious because a valid address is necessary for the package to be delivered. However, at times the true name of the addressee may

be altered or ignored in favor of an alias or code name to better disguise their identity from law enforcement.

8. Based upon my knowledge, training, and experience I know that drug traffickers using the USPS often use unusual packaging techniques. These may include excessive taping or wrapping or by including within the package items having strong odors in an effort to contain or mask the odor of controlled substances in order to avoid detection by trained narcotics dogs.

9. Your affiant knows based on training and experience as well as consultation with other agents, that U.S. Mail is often used by narcotic traffickers to transport controlled substances, as well as U.S. currency derived from the distribution of controlled substances, either as payment or proceeds. Your affiant knows based on training and experience that USPS Express Mail is commonly used to transport controlled substances because narcotic traffickers can track the parcels, and control dispatch times and locations.

#### **BACKGROUND OF INVESTIGATION**

10. On March 2, 2022, while reviewing USPS electronic records relating to shipments of parcels from known sources states to the Southern District of West Virginia, Postal Inspectors identified the USPS Express Mail bearing tracking number "EI315215099US" addressed to "KASEY LAMBERT 233 EMPIRE DR. ST ALBANS, W.V 25177" and bearing a return address of "MARCUS LAMBERT

9280 CAMLEY ST DET, MI 48224" (SUBJECT PARCEL). Based on my training and experience, your affiant believed the package to be consistent with the size, weight and mailing characteristics of packages containing illicit drugs.

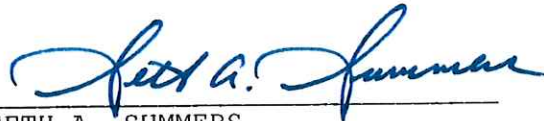
11. On March 2, 2022, Postal Inspectors identified the SUBJECT PARCEL had arrived at the St. Albans, WV Main Post Office. On March 2, 2022, Postal Inspectors went to the St. Albans, WV Main Post Office, and noted, among other characteristics that the SUBJECT PARCEL bore a handwritten label, excessive taping, and was sent from Michigan, a source state for illicit drugs coming into the Southern District of West Virginia.

12. Postal Inspectors made inquiries with CLEAR, an electronic database that has proven reliable in previous investigations in determining the legitimacy of name, address, and phone number information, regarding the return address of "MARCUS LAMBERT 9280 CAMLEY ST DET, MI 48224". CLEAR showed no such name associated with that address. Postal Inspectors also conducted a search regarding the destination address of "KASEY LAMBERT 233 EMPIRE DR. ST ALBANS, W.V 25177". CLEAR showed no such name associated with that address.

13. On March 2, 2022, Officer Tony Messer, South Charleston Police Department, provided his trained narcotic detection dog, "Phine". Phine has experience with narcotics investigations including drug parcels and was last certified in November 2021.

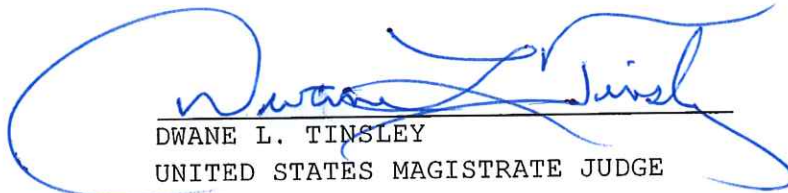
The SUBJECT PARCEL was placed in a line-up with three (3) additional boxes of various shapes and sizes. Phine conducted an exterior examination of all the parcels. Officer Messer informed Postal Inspectors that Phine positively alerted on the SUBJECT PARCEL indicating the presence of the odor of a controlled substance.

14. Based on the information contained herein, your affiant maintains there is probable cause to believe that the SUBJECT PARCEL - USPS Priority Mail Express Package bearing tracking number "EI315215099US" - contains controlled substances, and/or proceeds which are evidence thereof, and/or contraband, in violation of Title 21, United States Code, Sections 841(a)(1), 843(b) and 846. Further your affiant sayeth naught.



SETH A. SUMMERS  
POSTAL INSPECTOR

On the 3rd Day of March 2022, This affidavit was sworn to by the affiant, who did no more than attest to its contents pursuant to Crim. R. 4.1 (b)(2)(A), by telephone after a document was transmitted by email, per Crim. R. 4.1.



DWANE L. TINSLEY  
UNITED STATES MAGISTRATE JUDGE